

# CERTIFICATE OF COMPLIANCE APPLICATION

## WHO MAY USE THIS FORM?

Anyone who received a permit from the Land Use Planning Commission (Commission or the LUPC) that is required, or chooses, to obtain a certificate of compliance from the Commission. See descriptions below.

**Certificate of Compliance:** A Certificate of Compliance (COC) is a determination issued by the LUPC confirming which requirements and conditions of permit approval have been complied with; which aspects of the approved project, if any, have not yet been completed; and/or changes to the proposal which were not included in the permit. Prior to issuing a Certificate of Compliance, the LUPC staff may conduct a site inspection in order to review site conditions. Certificates of Compliance may be requested, required, or issued upon project completion or, in some cases, at periodic points during implementation of the project. Individuals seeking a Certificate of Compliance should use this Certificate of Compliance Application form.

**Self-Certification Form:** A form provided by LUPC to be submitted by the permittee stating which requirements and conditions of approval have been complied with; which aspects of the approved project have been completed; and/or changes to the proposal which were not included in the permit. Self-certifications do not necessarily result in an action by the LUPC. Many building permits and development permits require that a Self-Certification be submitted upon project completion. Self-Certifications use the form provided by the LUPC and do not result in the issuance of a Certificate of Compliance. Individuals submitting a Self-Certification may not use this Certificate of Compliance form.

## WHERE CAN I GET HELP TO COMPLETE THIS FORM?

Call the [LUPC office that serves your area](#) and ask to speak to a regional representative (see below for office locations and contact information). Also, go to the LUPC website at [www.maine.gov/dacf/lupc/](http://www.maine.gov/dacf/lupc/) to browse through our rules and regulations, recent publications and newsletters, Commission meeting agendas, and other valuable information.

<b><u>AUGUSTA OFFICE</u></b>	<b><u>ASHLAND OFFICE</u></b>
18 Elkins Lane - Harlow Bldg. 22 State House Station Augusta, ME 04333-0022	<i>Serving most of Aroostook County, and portions of northern Penobscot and Piscataquis Counties</i> 45 Radar Road Ashland, ME 04732-3600
Tel. (207) 287-2631 TTY (888) 577-6690 FAX (207) 287-7439	Tel. (207) 435-7963 FAX (207) 435-7184
<b><u>BANGOR OFFICE</u></b>	<b><u>EAST MILLINOCKET OFFICE</u></b>
<i>Serving Hancock, Kennebec, Knox, Lincoln, Sagadahoc, and Waldo Counties; most of Washington County; and all coastal islands in the LUPC service area</i> 106 Hogan Rd, Suite 8 Bangor, ME 04401	<i>Serving southern Penobscot and Aroostook Counties, and portions of Piscataquis and northern Washington Counties</i> 191 Main Street East Millinocket, ME 04430
Tel. (207) 941-4052 FAX (207) 941-4222	Tel. (207) 746-2244 Tel. (207) 731-4405 FAX (207) 746-2243
<b><u>GREENVILLE OFFICE</u></b>	<b><u>WEST FARMINGTON OFFICE</u></b>
<i>Serving Somerset County and most of Piscataquis County</i> 43 Lakeview Street P.O. Box 1107 Greenville, ME 04441	<i>Serving Franklin and Oxford Counties</i> 133 Fyfe Rd P.O. Box 307 West Farmington, ME 04992
Tel. (207) 695-2466 FAX (207) 695-2380	Tel. (207) 670-7492 OX Tel. (207) 670-7493 FR

## GENERAL INSTRUCTIONS

Once all or certain activities authorized by your permit have been completed, fill out this form and mail the form, along with any required attachments and application fee, to the LUPC regional office that serves your area (see below for appropriate address). The Commission may request additional information from you, demonstrating that you have completed the project and complied with all the terms and conditions of your permit, and may arrange and conduct a compliance inspection. If you need help completing this form, contact the LUPC office that serves your area and ask to speak to one of our regional representatives.

# REQUIRED FEES AND EXHIBITS

**APPLICATION FEE** (nonrefundable): Submit a check or money order payable to "Treasurer, State of Maine". The certificate of compliance application base fee is \$50.00; or for subdivision permits \$50.00 per lot.

**EXHIBIT A: AS BUILT SITE PLAN.** Prepare a bird's-eye view site plan that shows your entire property. A copy of the site plan from your permit application may be used; however, any changes made must be indicated on the copy of the plan. Do not use colors as they do not photocopy. Include the following features, indicating the changes to the project which were not included in the permit:

- Property boundary lines and dimensions (including road and water frontage).
- Wooded areas, open fields, rivers, streams, lakes, ponds, wetlands, and other natural features.
- Constructed structures and features (including dwellings, garages, decks, walkways, driveways, parking areas, signs, etc.):
  - Identify the dimensions and distances of each structure from the nearest property line, road, lake, pond, river, stream and wetland.
  - If applicable, also show structures and features existing prior to construction.
- Areas that were stripped, graded, grubbed, filled, or otherwise resulted in exposed soil, which are to be re-vegetated, their dimensions and distances from waterbodies, roads and property lines.
- Areas that have been stabilized with permanent vegetation, indicating the dimensions and distances from waterbodies, roads and property lines, and indicating what type of vegetation exists.
- Areas that are to remain permanently cleared of vegetation, their dimensions and distances from waterbodies, roads and property lines.
- Permanent erosion, sedimentation and drainage control measures

**EXHIBIT B: SITE PHOTOGRAPHS.** Attach a series of photographs that show the structures and features on your property as they currently exist. Unless provided electronically, mount the photos on 8½" by 11" paper and, in any case, include an explanatory caption and date for each photo.

Please note, your photos cannot be returned.

**NOTE: Other exhibits may be necessary depending upon the conditions in the permit, and depending upon the responses to individual questions in this application form. In these cases, please label each additional exhibit accordingly. The following are descriptions of the documentation that, if applicable, should then be provided as an exhibit to this COC application.**

**EXHIBIT \_: RECORDED DEEDS, EASEMENTS, OR SUBDIVISION PLAT.** If the permit required that the resulting deeds, easements, or subdivision plats be recorded with the applicable registry of deeds, provide as an EXHIBIT, a copy of the recorded documents. Evidence of recorded materials must identify the date, book and page numbers and file reference of the recording. The Commission's specifications for final subdivision plats can be viewed at [www.maine.gov/dacf/lupc/application\\_forms/application\\_list.shtml](http://www.maine.gov/dacf/lupc/application_forms/application_list.shtml).

**EXHIBIT \_: MONITORING, REPORTING, AND/OR THIRD PARTY INSPECTION.** If the permit required monitoring, reporting, and/or third party inspection(s) or certifications, attach as an EXHIBIT, all applicable reports and supporting evidence. Reports from different monitoring or inspections, or regarding different topics, should be included as separate exhibits. (NOTE: If inspection/monitoring reports or certifications were already submitted during construction, then provide the dates and titles of the submitted materials). Unless specified in the permit, monitoring/inspection reports generally should include:

- dates of monitoring or inspection;
- person/entity conducting the monitoring or inspection and their qualifications;
- the scope (e.g., topic, time, and geographic area) of the monitoring or inspection;
- site and/or environmental conditions (if relevant to monitoring or inspection);
- specific details or statements that may be relevant to the permit;
- specifications of any specialized monitoring equipment;
- conclusions and/or recommendations (if applicable); and
- any other statements that are appropriate to the situation or necessary in accordance with any applicable professional best practices or licensing requirements.

**EXHIBIT \_: FINANCIAL ASSURANCE.** If the permit required financial assurance, or some other means for ensuring adequate funding, would be available for specified purposes (e.g., decommissioning), attach as an EXHIBIT, a description and evidence of the financial assurance. Unless specified in the permit, financial assurance may include: a standby letter of credit, a parental guarantee, or other legal means of providing funding or financial assurance.

Tracking No.	Permit No.

# Certificate of Compliance Application

**1. PERMITTEE / APPLICANT INFORMATION**

Permittee Name(s)	Daytime Phone	FAX (if applicable)
Mailing Address		Email (if applicable)
Town	State	Zip Code

**2. AGENT INFORMATION** *(if applicable)*

Agent Name(s)	Daytime Phone	FAX (if applicable)
Business Name		
Mailing Address		Email (if applicable)
Town	State	Zip Code

Carefully review the findings and conditions of your LUPC permit. The following sections should address all applicable components of the permit. Be sure to provide within each statement, or cite and include as an exhibit, any evidence of compliance with each condition. If you are not sure how to respond to any of the following items, contact the LUPC staff for assistance.

**3. PROPERTY DETAILS**

Location (Township and County)	County
Tax Information <i>(check tax bill)</i>	Deed or Lease Information <i>(check deed or lease)</i>
Map: _____ Plan: _____ Lot: _____	Book: _____ Page: _____ Lease #: _____
Map: _____ Plan: _____ Lot: _____	Book: _____ Page: _____ Lease #: _____
Map: _____ Plan: _____ Lot: _____	Book: _____ Page: _____ Lease #: _____

**4. PROJECT INFORMATION**

LUPC Permit Number and amendment letter <i>(example: DP 1234-A)</i>	
Date Construction Substantially Started <i>(see note below)</i>	Date Construction Substantially Completed <i>(see note below)</i>

"Substantially started" means the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footing, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For substantial improvements in special flood hazard areas, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"Substantial completion" shall mean completion of all permit conditions of approval.

**5. PERMITTED STRUCTURES, FEATURES, AND/OR ACTIVITIES COMPLETED**

Have all permitted activities been completed (for example: dwellings, garages, sheds, porches, decks, driveways, parking areas, signs, roads, etc.) as authorized in your LUPC permit? .....  YES  NO

**IF NO**, provide a list and description of the permitted activities that have not been completed, a brief explanation of why not, and an indication of whether you still intend to conduct those activities. *(Use additional paper if necessary.)*

 Example responses:  
 - *The garage has not yet been constructed and is not included as part of this request for a certificate of compliance.*  
 - *The garage has not yet been constructed and we no longer plan to construct the garage.*

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**6. CHANGES NOT REFLECTED IN PERMIT**

Have any changes to the project been made which were not included in the permit (for example, changes in building dimensions or setback distances from roads, property lines or water bodies; or construction of new accessory structures such as decks, walkways, additions, etc.)? .....  YES  NO

**IF YES**, describe on the following table, any such changes. *(Use additional paper if necessary.)* And, provide as EXHIBIT A, an as-built site plan. If the changes impact other plans (e.g., engineering plans, road profiles, etc.) that were submitted as part of the permit application, provide as an EXHIBIT, each of the as-built plans and profiles.

 If changes not reflected in the permit have been made, an amendment to the permit may be necessary, and must be obtained prior to issuance of a Certificate of Compliance. Contact the LUPC staff to discuss the changes and whether a permit amendment is necessary.

Type of structure <i>(dwelling, garage, deck, porch, shed, driveway, parking area, roads, etc.)</i>	Exterior dimensions (in feet) (LxWxH)	Type of foundation <i>(full basement, slab, post, etc.)</i>	Distance (in feet) of structure from nearest:						
			Road	Property line	Pond	Lake or stream	River or wetland	Tidal waters	Ocean/

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## 7. PERMIT CONDITIONS

Have all permit conditions been completed and/or addressed?.....  YES  NO

**IF YES**, provide as an EXHIBIT(S), substantial evidence that each condition has been completed, then continue to item 8. For example, evidence may include a copy of the recorded deed, easement, or subdivision plat, a site plan (as described herein), a copy of any appropriate report, or the date of submittal if already provided to the LUPC etc.

**IF NO**, identify which permit conditions have not yet been completed or addressed (and are therefore not part of this COC request), and include an explanation of why. Note that in these cases the LUPC may only be able to issue a partial COC. *(Use additional paper if necessary.)*



### Example responses:

- Condition 3 requires that a Certificate of Compliance be obtained prior to the sale of condominium units. The permit allowed the phased construction and sales of the condominium units, wherein Certificates of Compliance would be issued by groups of units rather than awaiting completion of the entire proposed development. Condominium units 11 through 24 have not yet been constructed and are not included as part of this request for a certificate of compliance.
- Conditions 9-11 require long-term monitoring of water quality, traffic and stormwater management. Because construction is not yet complete, these conditions are not yet applicable and are not included as part of this request for a certificate of compliance.

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## 8. ADDITIONAL INFORMATION

Provide any other facts that may help in the review of your application for a certificate of compliance. *(Use additional paper if necessary.)*

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## 9. PERMITTEE AND/OR AGENT STATEMENTS AND SIGNATURES

**Applicant:** All persons, or authorized representatives of corporations, listed on the deed(s), lease(s) or sales contract as owners or lessees of the property related to this certificate of compliance form must read and sign the statement below.

- If an Agent is listed above, I hereby authorize that individual or business to act as my legal agent in all matters relating to this petition.
- If an Agent is not listed above, *I have personally examined and am familiar with the information submitted in this application, including the accompanying exhibits and supplements, and to the best of my knowledge and belief, this application is complete with all necessary exhibits. I understand that if the application is incomplete or without any required exhibits that it will result in delays in processing my application. The information in this application is a true and adequate narrative and depiction of what currently exists at the property. I understand that I am ultimately responsible for complying with all applicable regulations and with all conditions and limitations of any permits issued to me by the LUPC.*

Applicant Signature(s) \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_

**Agent:** *All agents listed above must read the following statement and sign below.*

*I understand that I am hereby authorized by the above-listed applicant to act as their legal agent in all matters relating to this application. I have personally examined and am familiar with the information submitted in this application, including the accompanying exhibits and supplements, and to the best of my knowledge and belief, this application is complete with all necessary exhibits. I understand that if the application is incomplete or without any required exhibits that it will result in delays in processing the application. The information in this application is a true and adequate depiction of what currently exists at the property. I certify that I will provide any final action by the Commission on this certificate of compliance and associated conditions to the applicant. I will ensure that the applicant understands that they are ultimately responsible for complying with all regulations, conditions and limitations of any permits issued by the Commission as they regard this property.*

Agent Signature \_\_\_\_\_ Date \_\_\_\_\_